

## SUSTAINABLE FISHERIES ACT

Mr. MURKOWSKI. Mr. President, I rise to support the measure, S. 39, which is a bill to reauthorize and revitalize the Fisheries Conservation and Management Act, also known as the Magnuson Act. This is without a doubt one of the most important conservation bills that has come before this Congress, along with the nuclear waste bill.

The text of the bill before us, which was discussed at some length last night, has changed a good deal since the bill that I had the honor to cosponsor along with Senator STEVENS and Senator KERRY, in the final days of the 103d Congress. And almost 2 years since that day, Senator STEVENS and Senator KERRY have led, I think, a remarkable, bipartisan effort to resolve other Members' problems with the bill as originally introduced. I would like to commend both of them. I would like to also recognize the cooperation of Senator MURRAY, Senator GORTON, of course our leader, Senator LOTT, and many others who worked to bring this about.

I cannot say I am completely satisfied with all the changes that have been necessary to accommodate the interests of various Members but that how the process of legislating works. However, I can say that I have watched and participated in the evolution of this legislation with very close attention. I am confident the managers have made every possible effort to make those accommodations without violating the intent of and the integrity of the bill.

I also want to recognize the tremendous efforts that have been made by others, including Bill Woolf of my staff, and the staffs of Senator STEVENS and others, to bring this to fulfillment.

The fishing industry itself, the industry groups, the environmental community, and others who have participated in this bill to this point also deserve recognition. For without that cooperative effort, we would not be where we are today, ready to culminate this effort in a floor vote.

My efforts in connection with this bill have largely focused on certain issues that have recently exploded in national prominence: fisheries bycatch and discard—in other words, the incidental catch that is picked up as the preferred species is pursued, and the disposed of by discarding it over the side of the fishing vessel.

My first association with that came as a consequence of being appointed by Senator Dole to represent the U.S. Senate at the United Nations. I learned of a report by the Food and Agriculture Organization of the United Nations that indicated that a world total fishery landing figures of about 83 million metric tons did not include the 27 million metric tons of incidental catch discarded overboard. The grand total of fish caught, I learned, could easily exceed the sustainable harvest level of the world's oceans by as much as 10 million metric tons.

Such incidental catch, Mr. President, is simply thrown over the side, back into the ocean. And it is not thrown over alive, it is thrown over dead. While it makes food for other fish, it is still an excessive waste. So what we are looking at is a total catch of about 110 million metric tons of which we discard 27 million metric tons and retain and consume 83 million metric tons.

The scientists tell us the ocean is capable of producing—on a renewable basis—about 100 million metric tons. Well, one can quickly see the possibility that we are overfishing the oceans of the world by about 10 million metric tons.

If we could just address the discard, to reduce that tonnage, we could get this thing in balance. That was of particular interest and a role that I played. I introduced the first bill to address bycatch and discard back in 1993. Today, almost 3 years later, I am pleased to say that we are finally on the verge of taking action. The bill before us follows the lead of my earlier efforts by establishing a new national standard calling for bycatch to be avoided, where possible, and where it cannot be avoided for steps to minimize the resulting fisheries mortalities. We focused in on this issue. This will put us on the road to reducing and, hopefully, stopping the shameful waste that is currently occurring in many fisheries.

Following this principle, my good friend, Senator STEVENS, has also authored a separate section of the bill for Alaska only, which calls for annual bycatch reductions in the Gulf of Alaska and in the Bering Sea off Alaska.

Among other provisions, this bill will improve fisheries conservation and utilization, on which so many individuals in our coastal communities depend. It will for the first time address the problem of overfishing by requiring corrective action to be taken when a fishery is or is in danger of becoming overfished. It will also strengthen the fisheries management process by improving the way that regional fishery councils function, improve the way fisheries research is conducted and make many other changes of great importance and urgent need.

Mr. President, two issues which have been most contentious during this reauthorization process are the prospects for a new type of fishery limitation called an individual fishing quota program, and for a community development quota program intended to pass through some of the benefits from fisheries in the Bering Sea to disadvantaged, largely small native communities in that area.

In Alaska, and elsewhere, there has been considerable debate on redesigning fishery management using an individual fishing quota system. I will not attempt to get into the level of detail necessary to explain how this would differ from the existing system of management. Suffice it to say that supporters believe this would solve

most of today's problems of overcapitalized fisheries with the least Government interference, and opponents claim it would not only be costly to the Government but hugely unfair to those who are excluded and to communities dependent on fishing.

The bill before us represents a compromise between these two positions. It contains a moratorium on new individual fishing quota systems, and a comprehensive study of their potential—that is both good and bad—and of their actual impacts in those cases where they have already been used. I believe this is a compromise worthy of our support as a Senate body.

In the case of the community development program proposal, we also see the results of sensible, needed compromise. The bill before us today provides a mechanism to assign some of the volume of fish coming from Bering Sea fisheries to the task of helping provide a stable, permanent economic base for some of the poorest, most disadvantaged communities in the country. This is a very worthy goal, and it is also one that I believe deserves the support of my colleagues.

Finally, there are far too many other specifics in this bill to recount them all, or to provide my views on each and every issue the bill addresses. Instead, let me close with this: If there is anything on which we can agree, it is the need for productive, healthy oceans. That is the goal of this bill, and this bill is Congress' farthest ever reach toward reaching it. Let's not waste the opportunity.

Finally, let me note that my good friend and colleague, the senior Senator, Senator STEVENS, worked with the late Senator Magnuson on the original formulation of this bill. I personally feel that this legislation should be referred to as the Magnuson-Stevens legislation, but recognizing the lateness of the date for such a change, I will reserve that name for my own thoughts about it.

I do want to congratulate my senior colleague for his tireless efforts, and that of his staff, as well as many other Senators, to bring this bill before the Senate today. Needless to say, I urge its successful passage.

I yield the floor.

Mr. CRAIG. Mr. President, we are now in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. Mr. President, I will speak no more than 5 minutes, but I ask unanimous consent Senator KENNEDY follow me for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CRAIG pertaining to the introduction of S. 2092 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.